

**CALENDAR ITEM
C39**

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02/20/15

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W 26812

V. Caldwell

**GENERAL LEASE – RECREATIONAL AND
PROTECTIVE STRUCTURE USE**

APPLICANT:

Dan Kirkpatrick

AREA, LAND TYPE, AND LOCATION:

Sovereign land located in Steamboat Slough, adjacent to 3470 Snug Harbor Drive, on Ryer Island, near Walnut Grove, Solano County.

AUTHORIZED USE:

Use and maintenance of an existing deck, uncovered floating boat dock, three steel pilings, nine wood pilings, ramp, and bank protection not previously authorized by the Commission.

LEASE TERM:

10 years, beginning February 20, 2015.

CONSIDERATION:

Deck, Uncovered Floating Boat Dock, Three Steel Pilings, Nine Wood Pilings, and Ramp: \$197 per year, with an annual Consumer Price Index adjustment.

Bank Protection: The public use and benefit, with the State reserving the right at any time to set a monetary rent if the Commission finds such to be in the State's best interests.

SPECIFIC LEASE PROVISIONS:

Liability insurance in an amount no less than \$1,000,000 per occurrence.

OTHER PERTINENT INFORMATION:

1. Applicant owns the upland adjoining the lease premises.
2. The existing dock facilities were never authorized but have existed at this location for many years and were constructed prior to the Applicant's

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ownership of the upland. The Applicant is now applying for a General Lease – Recreational and Protective Structure Use. Staff recommends authorization of these facilities.

3. The bank protection will mutually benefit both the public and the Applicant. The bank of Steamboat Slough will have additional protection for the river channel from wave action provided at no cost to the public.
4. The staff recommends that the Commission find that this activity is exempt from the requirements of the California Environmental Quality Act (CEQA) as a categorically exempt project. The project is exempt under Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

Authority: Public Resources Code section 21084 and California Code of Regulations, Title 14, section 15300 and California Code of Regulations, Title 2, section 2905.

5. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 6370 et seq., but such activity will not affect those significant lands. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

EXHIBITS:

- A. Land Description
- B. Site and Location Map

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that the activity is exempt from the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15061 as a categorically exempt project, Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

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SIGNIFICANT LANDS INVENTORY FINDING:

Find that this activity is consistent with the use classification designated by the Commission for the land pursuant to Public Resources Code section 6370 et seq.

AUTHORIZATION:

Authorize issuance of a General Lease – Recreational and Protective Structure Use to Dan Kirkpatrick beginning February 20, 2015, for a term of 10 years, for the use and maintenance of an existing deck, uncovered floating boat dock, three steel pilings, nine wood pilings, ramp, and bank protection not previously authorized by the Commission, as described on Exhibit A and shown on Exhibit B (for reference purposes only), attached and by this reference made a part hereof; consideration for the existing deck, uncovered floating boat dock, three steel pilings, nine wood pilings, and ramp: \$197 per year with an annual Consumer Price Index adjustment; consideration for the bank protection: the public use and benefit, with the State reserving the right at any time to set a monetary rent if the Commission finds such action to be in the State's best interests; and liability insurance in an amount no less than \$1,000,000 per occurrence.

EXHIBIT A

W 26812

LAND DESCRIPTION

Two parcels of tide and submerged land situate in the bed of the Steamboat Slough, lying adjacent to Swamp and Overflowed Land Survey 544 patented October 17, 1878, County of Solano, State of California and more particularly described as follows:

PARCEL 1 – DOCK

All those lands underlying an existing uncovered floating boat dock, ramp, two steel pilings, nine wood pilings and deck lying adjacent to that parcel described in Exhibit A of Grant Deed, recorded October 14, 2010 in Document No. 201000094379 in Official Records of said County.

TOGETHER WITH any applicable Impact Area(s).

ALSO TOGETHER WITH all those lands lying immediately beneath any existing bank protection structure adjacent to said parcel.

EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark of said Steamboat Slough.

PARCEL 2 – UNATTACHED PILING

All those lands underlying an existing steel piling lying adjacent to that parcel described in Exhibit A of Grant Deed, recorded October 14, 2010 in Document No. 201000094379 in Official Records of said County.

Accompanying plat is hereby made part of this description.

END OF DESCRIPTION

Prepared 12/03/14 by the California
State Lands Commission Boundary Unit





STEAMBOAT
SLOUGH

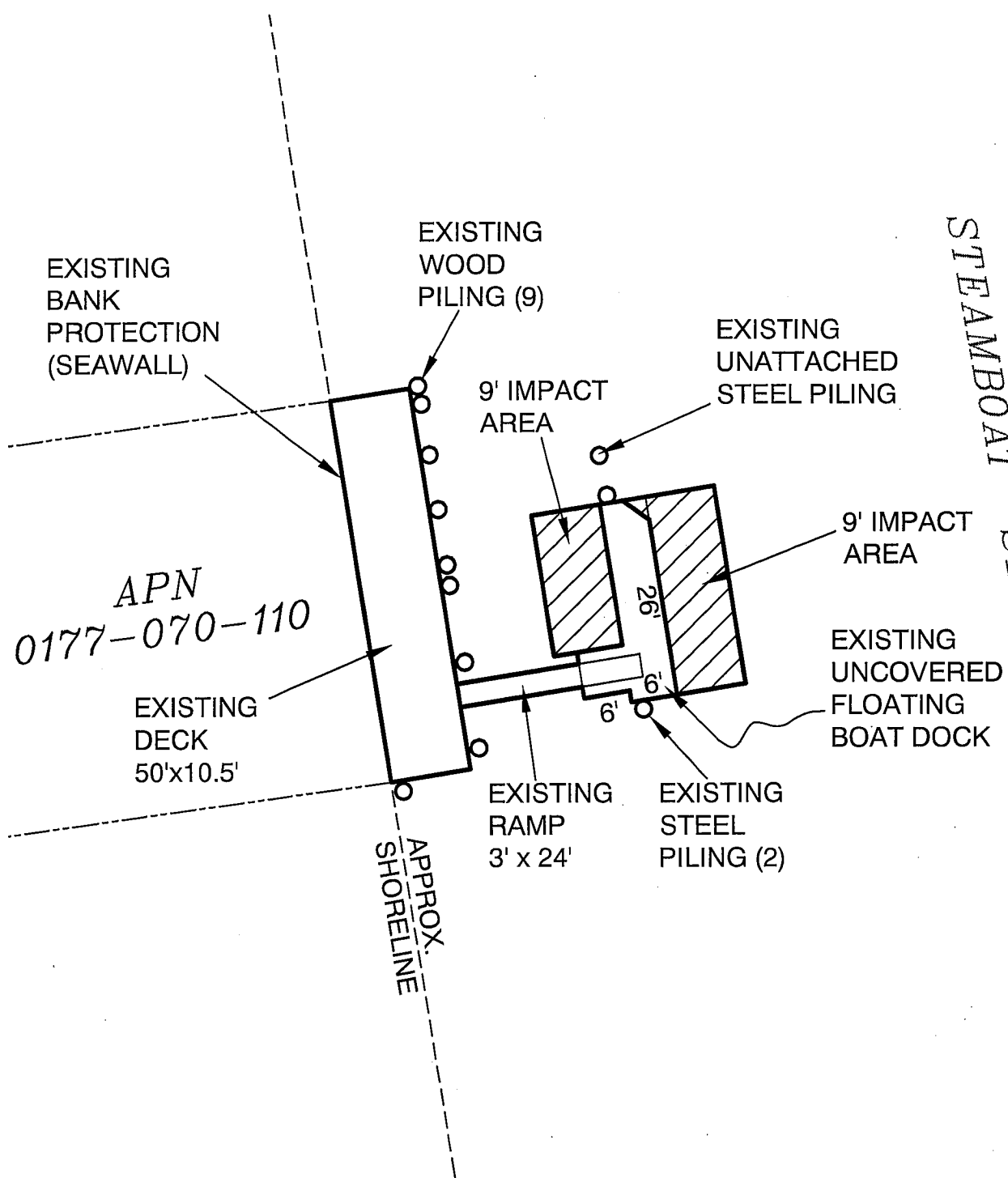


EXHIBIT A

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LAND DESCRIPTION PLAT
W 26812, KIRKPATRICK
SOLANO COUNTY

CALIFORNIA STATE
LANDS COMMISSION



SITE



LOCATION



Exhibit B

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